IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

PUBLIC INTEREST LITIGATION NO.85 OF 2003

Muktangan Mitra & Ors. ....Petitioners
Versus
The State of Maharashtra & Ors. ....Respondents

Ms.K. S. Kambli i/b Mr.V. M. Thorat for the Petitioners.
Mr.P. M. Patil, Assistant Government Pleader for Respondent Nos.1 to 4.

CORAM : DALVEER BHANDARI, C.J. &
S.J. VAZIFDAR, J.
DATE : 28TH SEPTEMBER, 2005.

P.C. :

1. The Petitioners in this Petition have prayed that the sale of toddy be prohibited in the entire State of Maharashtra and particularly in the District of Pune.

2. The Petitioners have also prayed that Respondent No.2 – Commissioner of State Excise, be directed not to issue any fresh licence to sell and/or tap toddy from toddy trees in the entire State of Maharashtra.

3. In the Petition, it is mentioned that the total toddy being sold in the Sate of Maharashtra is to the tune of Rs. 72 crore or more

and that the same is artificially prepared by mixing poisonous substance viz. chloral hydrate in plain water and thereafter adding sugar and toddy flavour, which is injurious to the health.

4. In our considered view, this is an important matter and it has to be decided by the State. In this view of the matter, we grant liberty to the Petitioners to file a comprehensive representation to the State Government and Commissioner of Central Excise.

5. We hope and trust that the representation submitted by the Petitioners shall receive attention of the Respondents and they would decide the same in accordance with law as expeditiously as possible, and, in any event, within eight weeks from today.

6. No further directions are necessary in this Writ Petition. The Petition is accordingly disposed of.

CHIEF JUSTICE

S.J. VAZIFDAR, J.